

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

PIAZZA’S CARPET & TILE SHOP, INC.,

Plaintiff,

v.

ALYANNA ENTERPRISES, INC.,

Intervenor Plaintiff,

v.

HICKORY SPRINGS MANUFACTURING
COMPANY, VALLE FOAM INDUSTRIES,
INC., DOMFOAM INTERNATIONAL, INC.,
THE CARPENTER COMPANY,
THE WOODBRIDGE GROUP, FLEXIBLE
FOAM PRODUCTS, INC., SCOTTDEL INC.,
FOAMEX INNOVATIONS, INC., FUTURE
FOAM, INC., VITAFOAM PRODUCTS
CANADA LIMITED, and VITAFOAM, INC.

Defendants.

Case No. 5:10-CV-00111-RLV

MDL No. 2196

**DEFENDANT’S MOTION TO
WITHDRAW JENNIE C. BOSWELL
AS ATTORNEY OF RECORD**

Defendant Hickory Springs Manufacturing Company (“HSM”) hereby moves the Court to withdraw the appearance of Jennie C. Boswell of the firm of Alston & Bird LLP as its attorney in the above-captioned matter. Ms. Boswell is leaving the firm of Alston & Bird LLP and no longer will serve as attorney of record. Frank A. Hirsch, Jr. and Matthew P. McGuire of the firm of Alston & Bird LLP will remain as attorneys of record for HMS in this matter.

Further, HSM is a defendant in the following related and consolidated civil actions. Ms. Boswell will no longer serve as attorney of record, but Mr. Hirsch and Mr. McGuire will remain as attorneys of record in these matters:

Jamestown Mattress Co., Inc. v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00113-RLV

Thompson Trading Company v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00114-RLV

Shore-Line Carpet Supplies, Inc. v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00115-RLV

*V&M, Inc. doing business as Costa International v. Hickory Springs
Manufacturing Company, et al.*; 5:10-cv-00116-RLV

*Martin Greenbaum Company, Inc. v. Hickory Springs Manufacturing Company,
et al.*; 5:10-cv-00118-RLV

Pandolfi House of Carpets, Inc. v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00120-RLV

*T. Steven Lackey, Sharyn Lackey and J. Keith Stokes v. Hickory Springs
Manufacturing Company, et al.*; 5:10-cv-00122-RLV

Suburban Floor Covering, Inc. v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00125-RLV

Robert Sims Enterprises, LLC v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00128-RLV

Foam Empire, Inc. v. Hickory Springs Manufacturing Company, et al.; 5:10-cv-
00129-RLV

Thoroughbred Carpets, Ltd. v. Hickory Springs Manufacturing Company, et al.;
5:10-cv-00131-RLV

WHEREFORE, Defendant HMS respectfully requests that the Court enter an Order granting its Motion to Withdraw Jennie C. Boswell as its attorney in the above-captioned action as well as the actions listed above.

Respectfully submitted this 22nd day of April, 2011.

/s/ Jennie C. Boswell

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ATTORNEYS FOR DEFENDANT
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COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a copy of **DEFENDANT'S MOTION TO WITHDRAW JENNIE C. BOSWELL AS ATTORNEY OF RECORD and [PROPOSED] ORDER** was filed with the Clerk of Court using the CM/ECF system, which will send notification to all attorneys of record.

Further, the undersigned also mailed a hard copy by United States Postal Service, first class mail, postage prepaid and addressed as follows:

<p>Francis Patrick Newell Kevin T. Kerns Peter M. Ryan COZEN O'CONNOR 1900 Market Street Philadelphia, PA 19103 fnewell@cozen.com kkerns@cozen.com pryan@cozen.com</p> <p><i>Attorneys for Defendant Foamex Innovations, Inc.</i></p>	<p>Edward G. Warin John P. Passarelli KUTAK ROCK LLP 1650 Farnam Street Omaha, NE 68102-2186 edward.warin@kutakrock.com john.passarelli@kutakrock.com</p> <p><i>Attorneys for Defendant Future Foam, Inc.</i></p>
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This the 22nd day of April, 2011.

/s/ Jennie C. Boswell